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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/626,228	07/24/2003	Brian L. Smith	5681-03800	1283
35690 7590 02/09/2007 MEYERTONS, HOOD, KIVLIN, KOWERT & GOETZEL, P.C. 700 LAVACA, SUITE 800 AUSTIN, TX 78701			EXAMINER TSE, YOUNG TOI	
			ART UNIT	PAPER NUMBER
			2611	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	02/09/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

## Office Action Summary

Application No.

10/626,228

Applicant(s)

SMITH ET AL.

Examiner

YOUNG T. TSE

Art Unit

2611

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 21 November 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 July 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- ☐ Notice of Informal Patent Application
- ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments, see page 13, lines 12-20, filed November 21, 2006, with respect to claims 1-4, 10-13 and 19-21 have been fully considered and are persuasive. The rejection of claims 1-4, 10-13 and 19-21 has been withdrawn.

### ***Drawings***

2. The drawings were received on November 21, 2006. However, these drawings are not acceptable by the examiner. Only the block elements 102, 104 and 150 have been corrected in Figs. 1 and 3. The block elements 110A-110C and 120 have not been corrected as required. See the objection to Figs. 1 and 3 in paragraph 1 of the last Office Action.

3. The drawings are objected to because the block pertaining elements (110A to 110D and 120) shown in Fig. 1 and (110A, 110B and 120) shown in Fig. 3 need to have descriptive labels in conformance with 37 CFR 1.84(n) and 1.84(o). For example, descriptive labels of "Interface" and "Circuitry" should be inserted into Figs. 1 and 3 to properly describe elements (110A to 110D) and (120), respectively. The Applicants are also suggested to see Figs. 1 and 3 of the related application 10/117,427 or U.S. Patent No. 7,139,308. Further, in Figs. 4 and 7, "FFA" and "FFB" should be labeled in the outputs of the flip-flops 456 and 458, respectively, as described at page 8, line 11 of the specification. The Applicants are also suggested to see Figs. 4 and 6 of the related

application 10/117,427 or U.S. Patent No. 7,139,308. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

#### ***Claim Objections***

4. Claims 1-23 are objected to because of the following informalities:

In claim 1, line 4, "corresponding first clock signal" should be "a corresponding first clock signal". Also see claim 19, line 3.

In claim 2, line 2, "in phase" should be "approximately ninety degrees out of phase" since the third clock signal (872) is in phase with the fourth clock signal (809) as shown in Fig. 4 or Fig. 7 and recited in claim 5. Also see claims 11 and 20.

In claim 6, line 5, "a fifth clock signal" should be "said third clock signal". Also see claims 15 and 23 (line 5).

In claim 7, line 2, "said fifth clock signal" should be "said third clock signal". Also see claims 16 (line 1) and 23 (line 7).

The dependent claims 3-5 and 8 are objected to because they are either directly or indirectly depended upon the independent claim 1.

In claim 10, lines 3-4, "receiving a first source synchronous data signal; receiving a first clock signal corresponding to said first data signal" should be "receiving said source synchronous data comprising a first data signal and a first corresponding clock signal"; line 7, the term "said data corresponding to" should be deleted; and line 10, "said latched data" should be "said latched first data signal".

In claim 14, line 1, "claim 12" should be "claim 13"; line 2, "signal approximately" should be "signal by said first circuit approximately".

In claim 18, "a first circuit" should be "said first circuit".

The dependent claims 12-13 and 17 are objected to because they are either directly or indirectly depended upon the independent claim 10.

In claim 19, line 18, "receive source" should be "receive said transmitted source".

In claim 23, line1, "further comprising" should be "wherein said circuitry further comprises" because the second circuit is part of the circuitry as the first circuit recited in claim 21.

The dependent claims 21-22 are objected to because they are either directly or indirectly depended upon the independent claim 19.

Appropriate correction is required.

### ***Claim Rejections - 35 USC § 112***

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. Claims 1-23 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 1 (lines 11-13) and claim 7 (lines 1-4), the Applicants are requested to clarify the differences of "a source synchronous manner" and "a synchronous manner", "said latched first data signal" and "a data signal", and "a corresponding clock signal" and "a clock signal". According to the present invention as shown in Fig. 7 and described in the specification, they appear to be no differences, for consistency, it is better to replace the claimed subject matter of claim 7 into lines 11-13 of claim 1 in order to obtain the output data (496) and the output clock (498) or provide connection or cooperation with the other claimed elements in response to the first data signal and the

first clock signal. Also see claim 10 (lines 10-11) and claim 16 (line 1-3), claim 19 (lines 15-16) and claim 23 (lines 7-9).

The dependent claims 2-6 and 8-9 are rejected to because they are either directly or indirectly depended upon the independent claim 1.

The dependent claims 11-15 and 17-18 are rejected to because they are either directly or indirectly depended upon the independent claim 10.

The dependent claims 20-22 are rejected to because they are either directly or indirectly depended upon the independent claim 19.

### ***Conclusion***

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

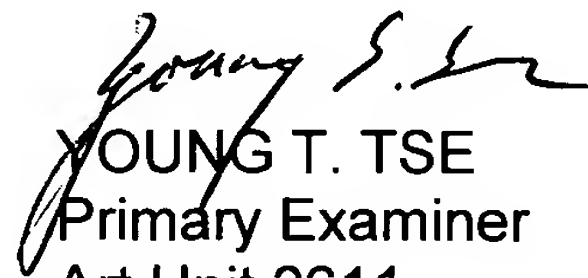
Baba relates to a digital PLL circuit has a data sampling circuit for sampling input data in response to N phase clocks in direction of time.

Doblar et al. relates to a device configured to recovery and repeat source synchronous data to remove data jitter and renew or restoring amplitude to attenuated signals prior to retransmission.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to YOUNG T. TSE whose telephone number is (571) 272-3051. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jay Patel can be reached on (571) 272-2988. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

  
YOUNG T. TSE  
Primary Examiner  
Art Unit 2611